

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Joan B. Gottschall	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	05 C 4912	DATE	8/19/2010
CASE TITLE	Edward Day vs. Check Brokerage Corp. and Dean Slough		

DOCKET ENTRY TEXT

OPINION:

Plaintiff Edward Day's Amended Motion for Award of Costs and Attorney Fees [91] is granted. Enter judgment in favor of plaintiff and against defendants Check Brokerage Corp. and Dean Slough in the amount of \$60,672.77.

■ [For further details see text below.]

Docketing to mail notices.
*Mail AO 450 form.

STATEMENT

In this Fair Debt Collection Practices Act suit, plaintiff Edward Day moved to decertify the class and for an entry of judgment awarding statutory damages, attorney fees, and costs. (Doc. 80.) The court granted in part Day's motion by decertifying the class and awarding statutory damages of \$1,000. (Doc. 90 at 1-4.) As to attorney fees, the court held that Day's counsel's hourly rates were reasonable, as were the number of hours billed. (*Id.* at 4-6.) However, the court held that Day's attorneys were not entitled to fees for any hours spent on class certification or related matters. (*Id.* at 5-6.) The court also ordered Day to provide documentation for his claimed costs. (*Id.* 90 at 6.)

Day filed an Amended Motion in which he seeks \$57,279 in attorney fees, less than the \$66,910 he previously requested. (Doc. 91.) Defendants do not raise any objections to this new amount other than to renew their request that the total be reduced by \$36,417. (*See* Doc. 93.) The court previously concluded that defendants' request was unsupported (Doc. 90 at 5-6), and defendants appear to have largely copied and pasted the argument from their original brief (*compare* Doc. 87 *with* Doc. 93). Defendants do not raise any objections to Day's claimed costs of \$2,393.77, which are now supported by attached receipts.

Accordingly, the court awards Day his claimed attorney fees and costs. The court enters judgment in the amount of \$1,000 in statutory damages, \$57,279 in attorney fees, and \$2,393.77 in costs.

Courtroom Deputy
Initials:

RJ/JK